

UNITED STATES DISTRICT COURT

for the

District of Nebraska

United States of America

v.

MARVIN T. STARKS

Date of Original Judgment: 01/10/2005

Date of Previous Amended Judgment: 01/10/2005

(Use Date of Last Amended Judgment if Any)

Case No: 4:04CR3003

USM No: 18293-047

David R. Stickman

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 months is reduced to 110 months.

(Complete Parts I and II of Page 2 when motion is granted)

This order pertains only to Count I.**Except as provided herein, all provisions of the judgment dated January 10, 2005 (filing no. 47) shall remain in effect.****The joint stipulation (filing no. 80) is granted.**

Except as otherwise provided, all provisions of the judgment dated 01/10/2005 shall remain in effect.

IT IS SO ORDERED.

Order Date: 11/16/2012

s/ Richard G. Kopf, Senior U.S. District Judge

Judge's signature

Effective Date: 11/16/2012

(if different from order date)

Richard G. Kopf, Senior U.S. District Judge

Printed name and title